AFFIDAVIT

Planning and Environment Court

David Manteit V Brisbane City Council 2916/24

I, David Manteit of 82 Rowe Tce Darra, developer, under affirmation says:

1. Respondent requests for orders pages 1-29.

.

Signed:

Taken by:

Deponent:

Justice of the Peace

David Manteit
82 Rowe Tce Darra 4076
Ph 0424739923
Email davidmanteit@hotmail.com

Outlook

Manteit v Brisbane City Council - 2916 of 2024 [BCC-C1.URI26059650]

From Sarah McCabe <Sarah.McCabe2@brisbane.qld.gov.au>
Date Tue 10/12/2024 1:32 PM
To david manteit <davidmanteit@hotmail.com>

1 attachment (30 KB)
Manteit v Brisbane City Council - Draft Order for 12 December final.docx;

Dear Mr Manteit

Attached is a draft order Council intends to seek at Thursday's review.

Please advise your position on the draft order.

Regards,

Sarah McCabe
Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**
.....
Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au
.....

(2)

In the Planning and Environment Court
Held at: Brisbane

Appeal No. 2916 of 2024

Between: **DAVID MANETIT** Appellant

And: **BRISBANE CITY COUNCIL** Respondent

ORDER

Before: His Honour Judge Williamson KC
Date of Hearing: 12 December 2024
Date of Order: 12 December 2024

UPON THE COURT BEING SATISFIED THAT there has been substantial compliance with the provisions of the *Planning Act 2016* with respect to service of the Notice of Appeal.

IT IS ORDERED THAT:

1. The disputed conditions are conditions 7, 12, 17, 18 and 24 of the Respondent's conditions package dated 25 September 2024 and associated notations in red on the Plan of Subdivision Drawing Number SK01 and amended in red by Council on 20 September 2024 (**Disputed Conditions**).

2. By 31 January 2025, the Respondent is to file and serve a particularised list of reasons why the Disputed Conditions ought to be imposed, or any alternative conditions proposed by the Respondent in place of the Disputed Conditions.

3. By 7 February 2025, each party shall deliver a list specifying the name, field of expertise and contact details for each expert that party proposes to call to give evidence at the hearing of the Appeal.

4. The appeal be listed for review on 12 February 2025.

Filed on: 12 December 2024
Filed by: City Legal – Brisbane City Council
Service address: Level 20, 266 George Street
BRISBANE QLD 4000

CITY LEGAL
Level 20, 266 George Street
BRISBANE QLD 4000
Telephone: (07) 3178 5581
Facsimile: (07) 3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

3

Phone: (07) 3178 5581
Fax: (07) 3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

Registrar

(4)

Outlook

Manteit v Brisbane City Council - P&E appeal no. 2916/24 [BCC-C1.URI26059650]

From Sarah McCabe <Sarah.McCabe2@brisbane.qld.gov.au>
Date Thu 6/02/2025 9:40 AM
To david manteit <davidmanteit@hotmail.com>

1 attachment (29 KB)
Draft order - Manteit v Brisbane City Council 12.02.25.docx;

Dear Mr Manteit

We refer to the review of this appeal listed for 12 February 2025.

Attached is a draft order we are instructed to seek.

Please advise your position on this draft order.

Regards,

Sarah McCabe
A/ Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**
.....
Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au
.....

(5)

In the Planning and Environment Court
Held at: Brisbane

Appeal No. 2916 of 2024

Between:	**DAVID MANTEIT**	Applicant
And:	**BRISBANE CITY COUNCIL**	Respondent

ORDER

Before:	[His/Her] Honour Judge [name]
Date of Hearing:	12 February 2025
Date of Order:	12 February 2025

IT IS ORDERED THAT:

1. By 21 February 2025, each party shall deliver a list specifying the names, field of expertise and contact details for each expert that party proposes to call to give evidence at the hearing of the appeal.

2. The appeal be listed for review on 5 March 2025.

Filed on:	12 February 2025
Filed by:	City Legal – Brisbane City Council
Service address:	Level 20, 266 George Street BRISBANE QLD 4000
Phone:	(07) 3178 5581
Fax:	(07) 3334 0058
Email:	sarah.mccabe2@brisbane.qld.gov.au

_____

Registrar

In the Planning and Environment Court
Held at: Brisbane

Appeal No. 2916 of 2024

Between:	**DAVID MANTEIT**	Applicant
And:	**BRISBANE CITY COUNCIL**	Respondent

ORDER

Before:	[His/Her] Honour Judge [name]
Date of Hearing:	12 February 2025
Date of Order:	12 February 2025

IT IS ORDERED THAT:

1. By 21 February 2025, each party shall deliver a list specifying the names, field of expertise and contact details for each expert that party proposes to call to give evidence at the hearing of the appeal.

2. The appeal be listed for review on 5 March 2025.

Filed on:	12 February 2025
Filed by:	City Legal – Brisbane City Council
Service address:	Level 20, 266 George Street BRISBANE QLD 4000
Phone:	(07) 3178 5581
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Registrar

7

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Registrar

Outlook

8

EIGHTH REQUEST - DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24

From david manteit <davidmanteit@hotmail.com>
Date Tue 22/04/2025 4:04 PM
To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>
Cc ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>

David Manteit V Brisbane City Council 2916/24

EIGHTH REQUEST

Dear Ms McCabe.

3.50pm has come and gone.

I note that you have not responded to any emails sent to you today

Please respond by 4.15pm today

Yours Faithfully

David Manteit
CEO
0424 739 923

rom: david manteit <davidmanteit@hotmail.com>
Sent: Tuesday, 22 April 2025 3:45 PM
To: Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>
Cc: ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>
Subject: SEVENTH REQUEST FOR COUNCIL TO RESPOND.. DAVIID MANTEIT V BRISBANE CITY COUNCIL 2916/24

DAVIID MANTEIT V BRISBANE CITY COUNCIL 2916/24

SEVENTH REQUEST FOR COUNCIL TO RESPOND..

Dear Ms McCabe

I note that you have failed to respond to 6 email requests requiring a response.

Here is the 7th request.

That makes it 78 requests so far for Council employee RPEQ certification of unlawful preparation of stormwater hydraulic plans.

(9)

Please respond by 3.50pm

Yours Faithfully

DAVID MANTEIT

To:
Sarah McCabe

Cc:
ccu@justice.qld.gov.au

Tue 22/04/2025 3:11 PM

David Manteit V Brisbane City Counci 2916/24

Att Ms McCabe

Sixth request

I note that you did not respond to five emails today.

Here's the 6th request.

Please respond to my emails by 3.15pm.

Yours Faithfully

DAVID MANTEIT

10

Previous emails -

Further to my last email, please advise if you disagree with
the determination of the Court at the hearing, to be dealt with , firstly, as emailed to you this morning at 9.30am.

The Council employee's failure to provide RPEQ certification to their hydraulic plans is illegal and could lead to imprisonment if found this is an offence that extreme.

as your own peers expect disqualifies the hydraulic plans and they cannot be held to be lawful in a Court of Law, for one moment.

The position of the red lines is now untenable due to being unlawful.

There is nobody in Australia that can impersonate a licenced engineer, doctor, electrician, plumber, builder, plasterer.

Please advise by 2.45pm today.

Yours Faithfully

David Manteit
CEO
0424 739 923

From: david manteit <davidmanteit@hotmail.com>
Sent: Tuesday, 22 April 2025 2:09 PM
To: Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>
Cc: ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>
Subject: RESPONDENT ENFGNEERING MANTEIT V BRISBANE CITY COUNCIL 2916/24

Att Ms Mccabe

Fourth request

I note that despite 3 letters today that the Respondent has failed
to respond to my emails.

I do not like to quote the words of His Honour. But due to your
Refusal to respond to all emails, your no responses forces me to.

It is my honest recollection and belief -

On 12/4/24 His Honour held my proposed orders in his hands.

These proposed orders were emailed to the Respondent on 11/4/25 and it was admitted by Counsel they were in possession of same.

11

These proposed orders included that the Respondent was to provide all information and engineering regarding the Council employees unlicenced hydraulic plans.

I believe that His Honour stated words similar to the following -

I *won't allow the proposed orders but I fully expect the Respondent to provide all the information in the proposed orders the Appellant requested, on Tuesday 22/4/25, to you* (the respondent)

His Honour said *"**You are jumping the gun Mr Manteit.** You should wait until they (the Respondent) send you their response on 22/4/25."*

I stated to His Honour, that I disagreed with removing the requested orders, on the grounds that I had made requests for the information commencing in writing to the Council employees, on 1/10/24, which is filed.

Please advise any reason why the Appellant should "jump the gun" and disobey His Honours advices.

2) I do not wish to disobey His Honour's advices. Therefore, a decision on what, if any, utility there is for a review can be made by myself after the Respondent provides

- their engineering report

- Any disputes with Civil Works report 28/3/25

- Any proposed orders for any review.

- The RPEQ licence certification for the Council employee approved prepared hydraulic plans for Upstream and Onsite Drainage plans. The same RPEQ licence that your excellent Council employees Mr Christenson and Ms Bernard require from an applicant , in their approvals, at all times, especially in their information requests, in the calendar year 1/1/24 to 31/1/24, as found in the David Manteit audit of 412 approved cases for the Crime and Corruption Commission.

Mr Christenson and Ms Bernard are the peers of the 128 Ashridge Rd Council employees. They do not prepare unlicenced engineering plans of 81 metres of pipes They uphold the standards of schedule 2 and S115 of the Professional Engineers Act 2002 with ease. Excellent Council employees they are.

There 1,000 reasons for that audit to be relied on for the hearing.

I await your response by 2.30pm today.

Yours Faithfully

DAVID MANTEIT

12

David Manteit
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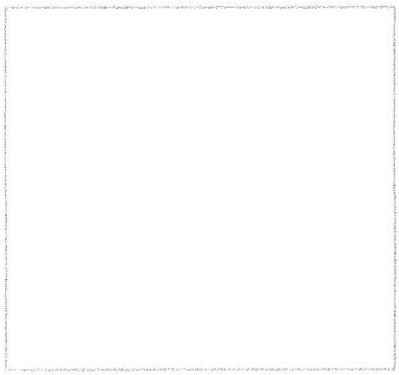
howtowineveryday.com.au



From: david manteit <davidmanteit@hotmail.com>
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Cc: ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>
Subject: RPEQ LICENCE UNLAWFUL COUNCIL PLANS DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24

David Manteit V Brisbane City Council 2916/24

Att Ms McCabe

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David Manteit
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(14)

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(16)

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(18)

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DAVID MANTEIT

(19)

David Manteit
CEO
0424 739 923

From: david manteit <davidmanteit@hotmail.com>
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To: Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>
Cc: ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>
Subject: SEVENTH REQUEST FOR COUNCIL TO RESPOND.. DAVIID MANTEIT V BRISBANE CITY COUNCIL 2916/24

DAVIID MANTEIT V BRISBANE CITY COUNCIL 2916/24

SEVENTH REQUEST FOR COUNCIL TO RESPOND..

Dear Ms McCabe

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David Manteit V Brisbane City Counci 2916/24

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21

David Manteit
CEO
0424 739 923

From: david manteit <davidmanteit@hotmail.com>
Sent: Tuesday, 22 April 2025 2:09 PM
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22

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CEO
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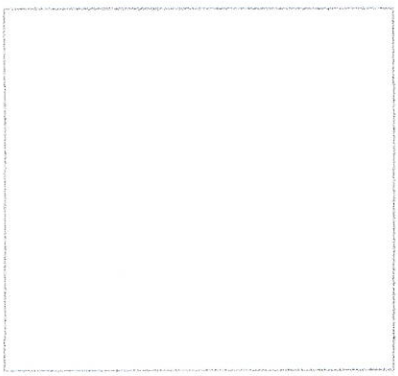
howtowineveryday.com.au



23

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David Manteit V Brisbane City Council 2916/24

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as your own peers expect disqualifies the hydraulic plans and they cannot be held to be lawful in a Court of Law, for one moment.

The position of the red lines is now untenable due to being unlawful.

There is nobody in Australia that can impersonate a licenced engineer, doctor, electrician, plumber, builder, plasterer.

Please advise by 2.45pm today.

Yours Faithfully

David Manteit
CEO
0424 739 923

From: david manteit <davidmanteit@hotmail.com>
Sent: Tuesday, 22 April 2025 2:09 PM
To: Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>
Cc: ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>
Subject: RESPONDENT ENFGNEERING MANTEIT V BRISBANE CITY COUNCIL 2916/24

Att Ms Mccabe

Fourth request

I note that despite 3 letters today that the Respondent has failed to respond to my emails.

I do not like to quote the words of His Honour. But due to your Refusal to respond to all emails, your no responses forces me to.

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24

These proposed orders were emailed to the Respondent on 11/4/25 and it was admitted by Counsel they were in possession of same.

These proposed orders included that the Respondent was to
provide all information and engineering regarding the Council employees unlicenced hydraulic plans.

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Mr Christenson and Ms Bernard are the peers of the 128 Ashridge Rd Council employees. They do not prepare unlicenced engineering plans
of 81 metres of pipes They uphold the standards of schedule 2 and S115 of the Professional Engineers Act 2002 with ease. Excellent Council employees they are.

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howtowineveryday.com.au

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David Manteit V Brisbane City Council 2916/24

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Affirmed by the said deponent
at Richlands, this 28th day of May 2025
Before me:

DEPONENT

KENNETH GEOFFREY FINNEY JP (QUAL)
JUSTICE OF THE PEACE

JUSTICE OF THE PEACE (QUALIFIED) Reg. No. 11657 ATTORNEY-GENERAL DEPT. OF JUSTICE